

**REGULAR AND ORGANIZATIONAL MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK HELD ON MONDAY APRIL 12, 2004 AT 7:00 P.M. IRVINGTON PUBLIC LIBRARY, 12 SOUTH ASTOR STREET, IRVINGTON, NEW YORK.**

Present: Dennis P. Flood, Mayor  
Isabel B. Milano, Trustee  
David A. Klassen, Trustee  
Richard J. Livingston, Trustee  
Jonathan A. Siegel, Trustee  
Stephen A. McCabe, Village Administrator  
Donald P. Marra, Deputy Administrator  
Louis C. Grieco, Police Chief  
Lawrence S. Schopfer, Clerk-Treasurer  
Gregory R. Nilsson, Superintendent of Public Works  
Lino J. Sciarretta, Village Attorney’s Office

Mayor Flood called the meeting to order. Trustee Milano made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Livingston and unanimously approved.

Upon reconvening after executive session, the regular and organizational meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood indicated that this year’s recipient of the Adele M. Warnock Good Citizenship Award, Garrard Beeney, was not available and that the award would be presented at a future meeting.

Mayor Flood appointed Trustee Isabel Milano as Deputy Mayor.

Mayor Flood performed the swearing in of Village Justice Lawrence H. Ecker for a 4-year term.

Village Justice Lawrence H. Ecker performed the swearing in of Trustees Richard J. Livingston and Jonathan A. Siegel, each for a 2-year term.

**RESOLUTION 2004-24  
SCHEDULE FOR REGULAR VILLAGE BOARD MEETINGS**

Trustee Siegel offered the following resolution, which was seconded by Trustee Livingston and adopted:

**RESOLVED**, to hold regular Village Board meetings on the first and third Mondays of each month of the calendar year, except in July, August, and September during which months the Board will meet on the third Monday. Additionally, the Board will hold work sessions on the Wednesday preceding each regular Monday meeting. Regular meetings to begin at 7:00 p.m. (executive session- public meeting to begin at 8:00 p.m.), work sessions to begin at 7:00 p.m. prevailing time and be held in Irvington Village Hall.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

**RESOLUTION 2004-25  
ORDER OF BUSINESS FOR REGULARLY SCHEDULED VILLAGE BOARD MEETINGS**

Trustee Milano offered the following resolution, which was seconded by Trustee Livingston and adopted:

**RESOLVED**, to adopt the following order of business for regularly scheduled Village Board meetings:

- 1. Call to order
- 2. Adjournment to executive session.

3. Reconvening of public meeting.
4. Pledge of allegiance
5. Public comment
6. Old business
7. Special and public hearings
8. Approval of minutes
9. Reading of communications
10. Reports of Boards, Standing Committees and Officers
11. Reports of Special Committees
12. Unfinished business and general orders
13. Special orders
14. New business
15. Presentation of bills
16. Adjournment to executive session
17. Reconvening after Executive session
18. Adjournment

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

**RESOLUTION 2004-26  
DESIGNATION OF OFFICIAL BANK**

Trustee Siegel offered the following resolution, which was seconded by Trustee Klassen and adopted:

**RESOLVED**, to designate the Bank of New York, Village of Irvington Branch, as official bank for the deposit of Village funds.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

**RESOLUTION 2004-27  
DESIGNATION OF OFFICIAL NEWSPAPER**

Trustee Livingston offered the following resolution, which was seconded by Trustee Milano and adopted:

**RESOLVED**, to designate the Gannett Journal News and the Rivertowns Enterprise as the official newspapers of the Village of Irvington.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

**RESOLUTION 2004-28  
DESIGNATION OF AN INDEPENDENT AUDITOR**

Trustee Klassen offered the following resolution, which was seconded by Trustee Siegel and adopted:

**RESOLVED**, to designate the firm of Bennett, Kielson, Storch, Yablon & DeSantis the Government Services Division of O'Connor, Davies Munns & Dobbins LLP of White Plains, New York, as official independent auditor for the Village of Irvington.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

**RESOLUTION 2004-29**  
**APPOINTMENT OF VILLAGE OFFICIALS AND VOLUNTEERS**

Trustee Siegel offered the following resolution, which was seconded by Trustee Livingston and adopted:

**RESOLVED**, to appoint the following Village Officials and volunteer board, committee, and commission members for terms of office as indicated:

<u>Name</u>	<u>Position</u>	<u>Term Expiration</u>
Kevin J. Plunkett	Village Attorney	4/1/05
Lawrence S. Schopfer	Clerk-Treasurer	4/1/06
Peter Oley	Village Historian	4/1/05
Alayne P. Katz	Acting Village Justice	4/1/05
Robert Citarell	Environmental Conservation Board	4/1/06
Peter Derby	Ethics Board	4/1/09
Jay Jenkins	Planning Board	4/1/09
Joseph Elliot	Planning Board – Alternate	4/1/06
Flo Audevard	Recreation Advisory Committee	4/1/07
Norah Clark	Recreation Advisory Committee	4/1/07
Michael Cornman	Theater Commission – Chair	4/1/09
Marjorie Rosenfeld	Theater Commission	4/1/09
Larry Scheps	Tree Preservation Committee	4/1/05
Joanna Gurley	Tree Preservation Committee	4/1/06
Anne Myers	Tree Preservation Committee	4/1/06
Bruce Clark	Zoning Board of Appeals	4/1/09
Christopher Mitchell	Zoning Board of Appeals – Alternate	4/1/07

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

Mayor Flood made the following volunteer board, committee, and commission member appointments:

<u>Name</u>	<u>Position</u>
Rita Milo	Beautification Committee – Chair
Anne Meyers	Beautification Committee – Chair
Heather Bancroft	Beautification Committee
Najib Budieri	Beautification Committee
Maria Budieri	Beautification Committee
Eleanor Consula	Beautification Committee
Noreen Degnan	Beautification Committee
Mark Gilliland	Beautification Committee
Edith Gioiella	Beautification Committee
Andrea Kish	Beautification Committee
Stanley Leyden	Beautification Committee
Pat Manfredi	Beautification Committee
Mary Merryman	Beautification Committee
Maria Relescue	Beautification Committee
Joan Rothman	Beautification Committee
Gerrie Shapiro	Beautification Committee
Thomas Jackson	Cable Advisory Board
Brenda Livingston	Cable Advisory Board
Jan Blaire	Open Space Advisory Committee – Chair
Nicola Coddington	Open Space Advisory Committee
Peg Determan	Open Space Advisory Committee
Mary Beth Dooley	Open Space Advisory Committee
Richard Goldman	Open Space Advisory Committee

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Frank Martucci	Open Space Advisory Committee
Caroline Niemczyk	Open Space Advisory Committee
Maryon Noble	Open Space Advisory Committee
Tony Russo	Open Space Advisory Committee
Barrett Seaman	Open Space Advisory Committee
Dave Walsh	Open Space Advisory Committee
James Brennan	War Monument Committee
Chris Guiliano	War Monument Committee
Greg Nilsson	War Monument Committee
Joe Archino	Parks & Recreation Master Plan Committee
Flo Audevard	Parks & Recreation Master Plan Committee
James Brennan	Parks & Recreation Master Plan Committee
Norah Clarke	Parks & Recreation Master Plan Committee
Maureen DePaoli	Parks & Recreation Master Plan Committee
Michael Glantz	Parks & Recreation Master Plan Committee
Andrew Harrison	Parks & Recreation Master Plan Committee
Kathy Kaufman	Parks & Recreation Master Plan Committee
Larry Lonky	Parks & Recreation Master Plan Committee
Terry Mahon	Parks & Recreation Master Plan Committee
Don Marra	Parks & Recreation Master Plan Committee
Jim McNiff	Parks & Recreation Master Plan Committee
Isabel Milano	Parks & Recreation Master Plan Committee
Bob Munigle	Parks & Recreation Master Plan Committee
Vic Serricchio	Parks & Recreation Master Plan Committee

**RESOLUTION 2004-30**

**DATE OF THE NEXT ORGANIZATIONAL MEETING**

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

**RESOLVED**, to set April 4, 2005 as the date of the next organization meeting of the Village of Irvington.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

Mayor Flood made the following Trustee liaison assignments:

Mayor Dennis Flood  
Police Department

Trustee David Klassen  
Library  
Environmental Conservation Board  
Water Department  
Beautification Committee  
Theater

Trustee Richard Livingston  
Fire Department  
Building Inspector  
Board of Architectural Review  
Senior Citizens

Trustee Isabel Milano  
Recreation  
School  
Community Advisory Board (CAB)

Trustee Jonathan Siegel  
DPW  
Insurance  
Open Space Advisory Committee  
GUARD

Trustee Milano made a motion to close the annual organizational meeting. The motion was seconded by Trustee Klassen and it was unanimously approved.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. There were no comments from those in attendance.

Trustee Milano made a motion to adopt the minutes of the regular meeting of the Board of Trustees held March 15, 2004. Trustee Livingston seconded the motion and it was unanimously approved with Trustee Siegel abstaining from the vote.

Trustee Siegel made a motion to adopt the minutes of the special meeting of the Board of Trustees held March 16, 2004 as amended. Trustee Livingston seconded the motion and it was unanimously approved with Trustee Milano abstaining from the vote.

Mayor Flood read communications from John P. Carroll regarding garbage pickup; Pam Weintz, Rachel Hansen, Martha Wasserman, and Scott Odabashian, each regarding the use of alternate sources of energy; Rich Harrington complementing the Department of Public Works and regarding the beach at Matthiessen Park. A copy of each piece of correspondence is attached hereto as a part of these minutes.

Mayor Flood opened the public hearing regarding the tentative fiscal year 2004/05 operating budget. He outlined the proposed operating budget. After some discussion, Mayor Flood requested that the hearing be kept open until the next regular meeting scheduled for April 19, 2004 to allow for collection of some additional information.

Mayor Flood opened the public hearing on the proposed local law establishing a resident parking permit system for residents of the Main Street downtown area. Mayor Flood provided some background on the proposed local law. He acknowledged the receipt of correspondence on the subject from Bruce L. Trent and George Rowe, Jr. Messrs. Trent and Cesare addressed the Board on the subject. After some further discussion, Trustee Siegel made a motion to close the public hearing. Trustee Livingston seconded the motion and it was unanimously approved.

#### **RESOLUTION 2004-31**

#### **DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE PURSUANT TO S.E.Q.R.A. OF A PROPOSED LOCAL LAW ESTABLISHING A RESIDENT PARKING PERMIT SYSTEM**

Trustee Livingston offered the following resolution, which was seconded by Trustee Milano and adopted:

**WHEREAS**, the Village Board is currently considering the adoption of a local law establishing a resident parking permit system, and

**WHEREAS**, the Village Board has determined that the adoption of the local law is considered a Type II action pursuant to the State Environmental Quality Review Act, now therefore be it

**RESOLVED**, the adoption of the local law establishing a resident parking permit system will have no adverse or negative impacts on the environment.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

#### **RESOLUTION 2004-32**

#### **ADOPTION A PROPOSED LOCAL LAW ESTABLISHING A RESIDENT PARKING PERMIT SYSTEM**

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

**WHEREAS**, the Village Board has previously completed a public hearing on the proposed local law establishing a resident parking permit system, and

**WHEREAS**, the Village Board has previously reviewed the proposed action to adopt the local law pursuant to the State Environmental Quality Review Act and has determined that such action will have no adverse or negative impacts on the environment, now therefore be it

**RESOLVED**, local law establishing a resident parking permit system is hereby adopted.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

**RESOLUTION 2004-33  
COMMERCIAL AND RESIDENTIAL TAX GRIEVANCES AND FIRE-AMBULANCE  
PROPERTY TAX EXEMPTIONS**

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

**WHEREAS**, the Village Board of Trustees, in its capacity as the Village Board of Assessment Review, has received a number of tax grievances from commercial and residential property owners, and

**WHEREAS**, the Village Board adopted a new Fire-Ambulance property tax exemption in December 2003, and

**WHEREAS**, the Village Board of Assessment Review has also received several Fire-Ambulance property tax exemption applications after January 1, 2004, and

**WHEREAS**, the Clerk-Treasurer, in conjunction with the Assessor for the Town of Greenburgh, has made specific recommendations to the Village Board of Assessment Review, now therefore be it

**RESOLVED**, to dispose of the commercial and residential tax grievances as follows:

<u>Owner</u>	<u>Address</u>	<u>SBL</u>	<u>Decision</u>
Bert Trent Realty	50 South Buckhout St.	7/P98	\$262,500
Roth	7 Whitetail Road		Dismiss – Not in Village
Rancic	2 Park Avenue	10B/230/31	Deny – No change
Pelosi	112 Sycamore Lane	10/257/4	\$26,000*
* Subject to the payment of all delinquent property taxes and water/sewer charges			
Hess	24 Ilinka Lane	13/P34	\$34,400
Shevrin	83 Greenway Drive	10G/3/83	\$25,350
Villacara	31 Beechwood Road	13/P19	Deny – No change
Luburic	160 Fieldpoint Drive	10F/253/18	\$53,600
DiGiorgi	45 Station Road	7A/234/15	\$21,800
Friedlander	86 Greenway Drive	10G/3/86	\$28,000

**RESOLVED**, grant fire-ambulance property tax exemption applications as follows:

<u>Applicant</u>	<u>Address</u>	<u>Exemption Amount</u>
Richard J. Livingston / Martha Livingston	40 Maple Street	\$170
James R. & Barbara J. Roy	39 Fargo Lane	\$170
Elizabeth D. Lewit	26 East Clinton Avenue	\$170
Mary Frances Morrison	20 South Dutcher Street	\$170

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

**RESOLUTION 2004-34**  
**BUDGETARY TRANSFERS – 2003/04 FISCAL YEAR**

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

**RESOLVED**, to authorize the Clerk-Treasurer to make the following budgetary entries for fiscal year 2003/04:

Entry 2004-01

Increase: Police-equipment	3120-200	\$20,000
Records Grant part-time labor	1960-445	\$14,000
Planning Bd. – Professional fees	8020-437	\$4,300
Increase: State Aid revenue	1-1-3091	\$38,300

Entry 2004-02

Increase: Mortgage tax revenue	1-1-3005	\$90,000
Decrease: Interest earnings	1-1-2401	\$40,000
Increase: Contingency	1990-465	\$50,000

Entry 2004-03

Decrease: Contingency	1990-465	\$75,000
MTA share of revenue	1660-400	\$75,000
Gross parking permit revenue	1-1-1721	\$150,000

Entry 2004-04

From: Contingency	1990-465	\$4,000
To: Highway-part-time salaries	5010-123	\$4,000

Entry 2004-05

Increase: Building permit revenue	1-1-2590	\$40,000
Planning Board fees	1-1-2115	\$6,000
Planning Bd. Reimbursements	1-1-2116	\$21,000
Decrease: Building Dept. supplies	3620-410	\$1,000
Building Dept. part-time salary	3620-123	\$9,000
Increase: Planning Bd. Professional fees	8020-437	\$15,000
Contingency	1990-465	\$62,000

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

Trustee Siegel discussed the activities in the Department of Public Works including assistance with the Water Department's GIS mapping project, catch basin cleanout, and assistance with a cleanup project in Scenic Hudson Park. He also reported on the installation of new fire chief James Ruffler and assistant chiefs Ken Mastropietro and J.P. Natkin.

Trustee Livingston summarized a recent Architectural Review Board meeting and he reported on the activities of the Water Department including a sprinkler test at Village Hall.

Mayor Flood reported on the Police Department's activity for the month of March 2004.

Trustee Milano indicated that youth baseball / softball was set to begin and camp registration would take place shortly.

Clerk-Treasurer provided some background on the bid received for a water flow meter and chart equipment.

**RESOLUTION 2004-35**  
**BIDS FOR WATER FLOW METER AND CHART EQUIPMENT**

Trustee Siegel offered the following resolution, which was seconded by Trustee Livingston and adopted:

**WHEREAS**, sealed bids for a water flow meter and chart equipment were received and opened on March 24, 2004, and

**WHEREAS**, the prices received in the bid are not in the best interests of the Village, now therefore be it

**RESOLVED**, to reject all bids received for a water flow meter and chart equipment that were received and opened on March 24, 2004

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

**RESOLUTION 2004-36  
BIDS FOR THE SALE OF A SURPLUS 1989 GMC DUMP TRUCK**

Trustee Livingston offered the following resolution, which was seconded by Trustee Milano and adopted:

**WHEREAS**, sealed bids for the sale of a surplus 1989 GMC dump truck were received and opened on March 31, 2004, now therefore be it

**RESOLVED**, to sell a surplus 1989 GMC dump truck to the high bidder, N.A.C. Industries, for the amount of \$4,107.00.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)  
NAYS: NONE

Trustee Livingston made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Milano and unanimously approved.

Upon reconvening after executive session, upon a motion duly made, seconded and unanimously approved, the Board approved retaining Albert Valuation Group to provide an appraisal of a property in the Village of Irvington for a fixed fee of \$4,000.

There being no further business, the meeting was adjourned.

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Lawrence S. Schopfer, Clerk-Treasurer

Attachments